

SAO 440 (Rev. 3/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

FRANCES K. GRACE,

Plaintiff,

V.

CBS COMBINED PENSION PLAN and RETIREMENT  
COMMITTEE OF CBS CORPORATION, as Plan  
Administrator,

Defendants.

SUMMONS IN A CIVIL ACTION

**07 CIV. 6522**

CASE NUMBER:

**JUDGE JONES**

TO: (Name and address of Defendant)

CBS COMBINED PENSION PLAN  
51 West 52nd Street  
New York, New York 10019

RETIREMENT COMMITTEE OF CBS  
CORPORATION, as Plan Administrator  
51 West 52nd Street  
New York, New York 10019

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

William D. Frumkin, Esq.  
Sapir & Frumkin LLP  
399 Knollwood Road, Suite 310  
White Plains, New York 10603

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

*J. Michael McMahon*  
CLERK

DATE

**JUL 19 2007**

(By) DEPUTY CLERK

*Sepina*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
FRANCES K. GRACE,  
Plaintiff(s),

JUDGE JONES  
Index No. 07 CIV. 6522

-against-

AFFIDAVIT OF SERVICE

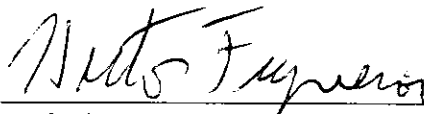
CBS COMBINED PENSION PLAN and RETIREMENT  
COMMITTEE OF CBS CORPORATION,  
as Plan Administrator,  
Defendant(s).

-----X  
STATE OF NEW YORK )  
S.S.:  
COUNTY OF NEW YORK)

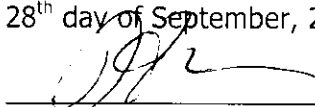
HECTOR FIGUEROA, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 26<sup>th</sup> day of September 2007, at approximately 2:55 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT, JUDGES' RULES AND ELECTRONIC FILING INSTRUCTIONS** upon Retirement Committee of CBS Corporation, as Plan Administrator at 31 West 52<sup>nd</sup> Street, New York, NY 10019, by personally delivering and leaving the same with Helen D'Antona, Manager, Litigation Support Services, who informed deponent that she is an agent authorized by appointment to receive service at that address.

Helen D'Antona is a white female, approximately 50 years of age, stands approximately 5 feet 5 inches tall and weighs approximately 120 pounds with blonde hair and light eyes.

  
\_\_\_\_\_  
HECTOR FIGUEROA #870141

Sworn to before me this  
28<sup>th</sup> day of September, 2007

  
\_\_\_\_\_  
NOTARY PUBLIC

HOWARD DANIEL GOLDMAN  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01G05062405  
QUALIFIED IN NEW YORK COUNTY  
MY COMMISSION EXPIRES JULY 1, 2010